

|  |                          |                       |
|--|--------------------------|-----------------------|
| <b>DECLARATION FOR UTILITY OR<br/>DESIGN PATENT APPLICATION</b><br><br><input checked="" type="checkbox"/> Declaration    -or- <input type="checkbox"/> Declaration<br><br><div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">Submitted<br/>with initial<br/>filing</div> <div style="text-align: center;">submitted<br/>after initial<br/>filing</div> </div> | Docket No.:              | 06780069US            |
|  | First Named Inventor:    | Frederic A. MACDONALD |
|  | <i>Complete if known</i> |                       |
|  | Application No:          | To Be Assigned        |
|  | Application Filing Date: | Concurrently Herewith |
|  | Group Art Unit:          | To Be Assigned        |
| Examiner Name:   | To Be Assigned           |                       |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR FACILITATING FUND-RAISING  
THROUGH ONLINE DIGITAL MEDIA CONTENT SALES**

The specification of which:

(check one)                      ☒ is attached hereto

☐ was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.\*

**37, Code of Federal Regulations, § 1.56**

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.

McGUIREWOODS

**PRIORITY CLAIMS**

**Foreign and Provisional Applications**

| Prior Application Number(s) | Country or Provisional | Filing Date (MM/DD/YYYY) | Priority Not Claimed     |
|-----------------------------|------------------------|--------------------------|--------------------------|
| 60/548,187                  | US                     | 03/01/2004               | <input type="checkbox"/> |
|                             |                        |                          | <input type="checkbox"/> |
|                             |                        |                          | <input type="checkbox"/> |

**U.S. and PCT Applications**

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of the Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application Number | PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--------------------------------|-------------------|---------------------------------|--------------------------------------|
|                                | PCT/US2005/006234 | 03/01/2005                      |                                      |
|                                |                   |                                 |                                      |

☐ Additional U.S. and/or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole

or First Inventor FREDERIC A. MACDONALD

Inventor's Signature  Date 8/25/06

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Full Name of

Third Inventor ALBERT F. YOUNG, Jr.

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 13900 Turnberry Court, Midlothian, Virginia 23113, U.S.

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Post Office Address Same as above

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or First Inventor FREDERIC A. MACDONALD

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Frederic A. MACDONALD, *et al.*

Docket No.: 06780069US

U.S. Application No.: *To Be Assigned*

Filed: *Concurrently Herewith*

Group Art Unit: *Be Assigned*

Based On:

International Appl. No.: PCT/US2005/006234

International Filing Date: March 1, 2005

Examiner: *Be Assigned*

For: **SYSTEM AND METHOD FOR FACILITATING FUND-RAISING  
THROUGH ONLINE DIGITAL MEDIA CONTENT SALES**

Commissioner for Patents  
United States Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**STATEMENT UNDER 37 C.F.R. § 3.73(b), POWER OF ATTORNEY BY ASSIGNEE**

MODstream, LLC, a U.S. corporation, states that it is the assignee of the entire right, title, and interest in the above-mentioned patent applications by virtue of assignments from its respective inventor(s) and/or previous assignees. A copy of the Assignment document is attached.

The assignee of the above-identified patent application hereby appoints the registered practitioners of McGuireWoods LLP included in the following customer number to prosecute the above application and transact all business in the U.S. Patent and Trademark Office connected therewith, and directs that all correspondence be addressed to that Customer Number:

**CUSTOMER NUMBER: 23345**

Address correspondence to:

McGuireWoods LLP  
1750 Tysons Boulevard  
Suite 1800  
McLean, VA 22102

Direct Telephone Calls to Richard S. Meyer, Esq. at 703-712-5427.

The undersigned (whose title is supplied below) is authorized to act on behalf of the  
assignee.

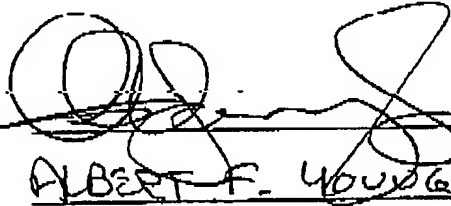
FOR: MODstream, LLC

SIGNATURE:

BY:

TITLE:

DATE:

  
ALBERT F. YOUNG, JR.

CEO

08/25/2006

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